

From: ["Washburn, Ben" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=FDA03CBA30C542059E0AF4208DAD96DA-WASHBURN,BEN>](mailto:Ben.Washburn@EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE:GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=FDA03CBA30C542059E0AF4208DAD96DA-WASHBURN,BEN)  
To:  
CC:  
Date: 7/14/2014 2:54:23 PM  
Subject: OPA Daily Digest 7/14/14

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## OPA Daily Digest for 7/14/14

### Congressional Inquiries:

**Sen. Roy Blunt** (Mo.) – Email/Letter – 6/20/14: Gentry County concerned with EPA fine for violation of the CWA. Due: 7/7/14. Contact: LaTonya Sanders, 7555 (closed)

**Sen. Pat Roberts** (Kan.); **Sen. Jerry Moran** (Kan.); **Rep. Time Huelskamp** (Kan.); **Rep. Lynn Jenkins** (Kan.); **Rep. Kevin Yoder** (Kan.); **Rep. Mike Pompeo** (Kan.) – Letter – 7/9/14: Military vehicles transferred to fire departments by the Kansas Fire Service. Due: 7/23/14. Contact: LaTonya Sanders, 7555 (open)

### State Government Inquiries:

**Mayor Conrad Bower** (Mo) – telephone – 7/14/14: Questions on the West Lake Site. Contact: Sarah Hatch, 7199 (open)

**Rep. Linda Black** (Mo) – telephone – 7/14/14: Constituent questions on issues in her District. Contact: Sarah Hatch, 7199 (open)

### Press Inquiries:

**Kansas City Star** – Alan Bavely – 7/10/14: Questions regarding particulate monitoring near the Argentine intermodal and monitoring for one micron or less. Contact: David Bryan, 7433 (closed)

**National Geographic** – Meg Roosevelt – 7/10/14: Questions about Hastings Superfund site in Hastings, Neb. Contact: Ben Washburn, 7364 (open)

**Wall Street Journal** – John Emshwiller – 7/9/14: Questions about isolation barrier project at West Lake Landfill in Bridgeton, Mo. Contact: Chris Whitley, 7394 (open)

**KOMU Ch. 8 Columbia, Mo.** – James Packard – 7/12/14: Questions regarding Waters of the U.S. and Ditch The Myths. Contact: David Bryan, 7433 (closed)

### Environmental Stories:

**Missouri Viewpoints - What Would New EPA Rules On Carbon Emissions Mean For Missourians?** - 7/14/14 - Whether you call it "global warming", "climate change" or "climate disruption" or whether you think the claims of manmade climate destruction are bogus, political decisions connected to those claims could hit you square in the wallet. The questions are how much and is it worth it? <http://missouriviewpoints.com/what-would-new-epa-rules-on-carbon-emissions-mean-for-missourians/>

**Brownfield Ag News - EPA talks water rule on Missouri farm (+audio)** - 7/11/14 - If farmers didn't need a water permit before they won't need one with the new rule of the Clean Water Act. EPA Region 7 Administrator Karl Brooks, based in Kansas City, who was also on the tour said the EPA won't be knocking at the farm gate.

<http://brownfieldagnews.com/2014/07/11/epa-talks-water-rule-missouri-farm/>

**AgWeb - KLA Accuses EPA of Misrepresenting Proposed Rule** - 7/11/14 - "It is clear after the remarks from the administrator that EPA has no intention of working with agricultural stakeholders to reform this deeply flawed proposal," said KLA Vice President of Legal and Government Affairs Aaron Popelka.

[http://www.agweb.com/article/kla\\_accuses\\_epa\\_of\\_misrepresenting\\_proposed\\_rule\\_NAA\\_News\\_Release/](http://www.agweb.com/article/kla_accuses_epa_of_misrepresenting_proposed_rule_NAA_News_Release/)

**Lincoln Journal-Star (Neb.) - City cleaning up clay material from Salt Creek after spill** - 7/11/14 - City officials have begun cleaning up Salt Creek after a private contractor spilled a clay material into the creek while drilling underneath it. Judds Brothers Construction was drilling underneath the creek this week when the company's drill struck old bridge pilings buried there. That created a fissure into the creek that allowed a clay material known as bentonite that the contractor was using to lubricate its drill to seep into the creek.

[http://journalstar.com/news/local/govt-and-politics/city-cleaning-up-clay-material-from-salt-creek-after-spill/article\\_dc2cc3b2-763b-55f3-b880-fef2586b128c.html](http://journalstar.com/news/local/govt-and-politics/city-cleaning-up-clay-material-from-salt-creek-after-spill/article_dc2cc3b2-763b-55f3-b880-fef2586b128c.html)

**Daily Journal (Park Hills, Mo.) - EPA sampling shows no health risk** - 7/12/14 - EPA Region 7's sampling and analysis of soil and water at Rotary Drilling Supply, Inc.'s property near Crystal City indicates no human health risk from the coal combustion residuals waste there.

[http://dailyjournalonline.com/news/local/epa-sampling-shows-no-health-risk/article\\_be9a2aa6-a4d7-5032-b31d-f54cebe485a1.html](http://dailyjournalonline.com/news/local/epa-sampling-shows-no-health-risk/article_be9a2aa6-a4d7-5032-b31d-f54cebe485a1.html)

**St. Louis Call - Ameren to close Meramec plant in 2022 | Plans for coal-ash landfill at site being dropped** - 7/9/14 - Ameren Missouri had hinted at the possibility that its coal-fired power plant in Oakville could someday close, but last week the utility made it official: The Meramec plant will close in 2022 — or perhaps even sooner, depending on the impact of future federal government regulations.

<http://www.callnewspapers.com/Articles-Impact-News-i-2014-07-09-273681.112112-Ameren-to-close-Meramec-plant-in-2022.html>

**Radio Iowa - Branstad blasts EPA for foot-dragging on RFS decision** - 7/14/14 - Governor Terry Branstad says federal officials have failed to meet a promised deadline for a decision on the so-called Renewable Fuels Standard. The standard requires a set amount of corn-based ethanol fuel to be produced each year.

<http://www.radioiowa.com/2014/07/14/branstad-blasts-epa-for-foot-dragging-on-rfs-decision/>

**Joplin Independent - Missouri stakeholders discuss carbon emissions** - 7/14/14 - The Missouri Department of Natural Resources is meeting today with key stakeholders to devise a state plan for reducing carbon pollution. Standards of the Environmental Protection Agency's Clean Air Act released in June requires Missouri to reduce its carbon pollution by 21 percent by 2030 as compared to 2005 levels.

[http://www.joplinindependent.com/display\\_article.php/staff1405355931](http://www.joplinindependent.com/display_article.php/staff1405355931)

**Associated Press - Heavy June rain washes livestock manure off farms** - 7/14/14 - Flooding in Iowa has washed hog and cattle manure from more than 20 farms each with thousands of animals. Iowa Citizens for Community Improvement, an environmental advocacy group says the problem highlights the need for stricter water protection regulations.

<http://www.kwwl.com/story/26014067/heavy-june-rain-washes-livestock-manure-off-farms>

**KBIA Mid-Missouri Public Radio, Columbia- Hinkson Creek monitoring group says health is on the way (+audio)** - 7/14/14 - A multi-disciplinary group of city, county and environmental leaders monitoring Mid-Missouri's Hinkson Creek say the watershed is on its way to good health again.

<http://kbia.org/post/hinkson-creek-monitoring-group-says-health-way>

**Agweek - McCarthy addresses 'misinformation' about Waters of the US rule** - 7/14/14 - U.S. Environmental Protection Agency Administrator Gina McCarthy was in Missouri last week to counter what she called "myths" about the agency's proposed Waters of the U.S. rule that have developed among farmers, ranchers and agribusiness leaders.

<http://www.agweek.com/event/article/id/23667/#sthash.r5cCkpTq.dpuf>

**New York Times - Opinion: Poison Shot From Guns** - 7/13/14 - Sometimes the gross ineffectiveness of Congress is a boon to the nation by heading off a plainly regressive result. This was the case last week when a partisan Senate dispute over election-year gun politics had the unintended effect of killing off a pernicious proposal to bar environmental controls over lead ammunition and fishing sinkers that increasingly threaten fish and wildlife.

<http://www.nytimes.com/2014/07/14/opinion/poison-shot-from-guns.html>

**New York Magazine - The Environmental Protection Agency Is Furious With the New York Times** - 7/13/14 - The Times story does not actually contain hard proof that the NRDC plan formed the basis for the EPA's decision. I would guess that Davenport's sources gave her some off-the-record confirmations that she couldn't publish.  
<http://nymag.com/daily/intelligencer/2014/07/epa-is-furious-with-the-new-york-times.html>

**Mason City Globe Gazette (Iowa) - Listen up, EPA: Lake deserves more restoration funds** - 7/13/14 - MaryJo Burkgren has seen the success up close and in-depth. As coordinator of the Clear Lake Enhancement and Restoration Project she said progress has been better than thought possible in 2001. Now, she's campaigning for more federal money to continue the progress. [http://globegazette.com/news/opinion/editorial/listen-up-epa-lake-deserves-more-restoration-funds-globe-gazette/article\\_2f2cf6f0-58a4-56a4-823b-20d359d5a321.html](http://globegazette.com/news/opinion/editorial/listen-up-epa-lake-deserves-more-restoration-funds-globe-gazette/article_2f2cf6f0-58a4-56a4-823b-20d359d5a321.html)

**Agri-View - EPA revising emissions standards for grain elevators** - 7/13/14 - The National Grain and Feed Association (NGFA) has started an extensive review of July 9 proposal by the Environmental Protection Agency (EPA) that would amend the section of its new source performance standards to update the provisions that affect grain handling, receiving and load-out operations. [http://www.agriview.com/briefs/crop/epa-revising-emissions-standards-for-grain-elevators/article\\_e4af0d5a-b57e-5951-ba4e-9bf6659be7a3.html](http://www.agriview.com/briefs/crop/epa-revising-emissions-standards-for-grain-elevators/article_e4af0d5a-b57e-5951-ba4e-9bf6659be7a3.html)

**Care2 - Missouri Lawmaker Introduces Bill to Halt All EPA Regulations** - 7/13/14 - RdwNw5mFor one Missouri lawmaker, fighting individual Environmental Protection Agency regulations — like the recent rule on carbon emissions from power plants — isn't enough. Rep. Sam Graves (R-MO) introduced a bill on Wednesday that would halt all EPA rules that are currently in the works and prompt a review of all previous EPA regulations. <http://www.care2.com/causes/missouri-lawmaker-introduces-bill-to-halt-all-epa-regulations.html>

**Sioux City Journal (Iowa) - Iowa topsoil restoration could wash away** - 7/13/14 - Change may be in store for an Iowa regulation that requires builders/developers in cities to restore the topsoil they scrape off during grading. [http://siouxcityjournal.com/business/agriculture/iowa-topsoil-restoration-could-wash-away/article\\_ec09871f-0047-501d-9c83-bdfa5094846b.html](http://siouxcityjournal.com/business/agriculture/iowa-topsoil-restoration-could-wash-away/article_ec09871f-0047-501d-9c83-bdfa5094846b.html)

**KWWL Ch. 7 Waterloo, Iowa - Clayton Co. residents speak out after mine fire** - 7/13/14 - Officials at a Clayton County sand mine now say a fire they believed to be small and extinguished on Wednesday morning was actually still smoldering as of Friday, and was more serious than they had originally believed. The Iowa Department of Natural Resources said heavy smoke on the "Mississippi River side" of the mine had been burning since Thursday night, when it flared up. <http://www.kwwl.com/story/26004397/2014/07/12/clayton-residents-speak-out-after-mine-fire>

**The Gazette, Cedar Rapids, Iowa - Without state regulation, Iowa counties get tougher on wind projects** - 7/13/14 - Now that Iowa now has more than 3,200 wind turbines and ranks No. 1 in the nation for the share of electricity coming from wind energy, counties are getting tougher about where turbines are built, how much noise they make and how much they disturb nature. <http://thegazette.com/subject/news/without-state-regulation-iowa-counties-get-tougher-on-wind-projects-20140713>

**Decorah Newspapers (Iowa) - DNR can study 'dust'** - 7/10/14 - If someone asks, the Iowa Department of Natural Resources (DNR) would be willing to conduct a traffic study that included dust on Canoe Valley and Middle Hesper roads. <http://www.decorahnewspapers.com/Content/News/Local-News/Article/DNR-can-study--dust-/2/10/34946>

**Lake News Online - Sunrise Beach sewer gets partial grant/loan** - 7/13/14 - The Village of Sunrise Beach will be bringing drinking water to more Westside residents with a successful grant and loan application with the Missouri Department of Natural Resources for four small distribution extensions of its system. <http://www.lakenewsonline.com/article/20140713/News/140719623>

**Des Moines Register - Ruling is victory for solar energy** - 7/11/14 - A nationally watched Iowa Supreme Court ruling in favor of a solar energy company could spur growth of the solar industry throughout the state, advocates said Friday. <http://www.desmoinesregister.com/story/news/crime-and-courts/2014/07/11/iowa-supreme-court-gives-win-to-solar-advocates/12519021/>

NOTE: Paywall issues may keep you from seeing this article. Full text is included at the end of this email.

**The Gazette, Cedar Rapids, Iowa - Private, community colleges get greener | Iowa campuses becoming more sustainable** - 7/14/14 - Climate change and other environmental concerns are threatening both the quality of life and pocketbooks of Iowans — and the region's private and community colleges are no exception.

<http://thegazette.com/subject/news/education/public-schools/private-community-colleges-get-greener-20140714>

**Associated Press - Crashes trigger high-stakes campaign to shape safety rules for railroads** - 4/14/14 - A string of fiery train derailments across the country has triggered a high-stakes but behind-the-scenes campaign to shape how the government responds to calls for tighter safety rules. [http://journalstar.com/business/local/crashes-trigger-high-stakes-campaign-to-shape-safety-rules-for/article\\_9fd3b2b3-51ac-5dbc-a7ba-37b1b26eaaac.html](http://journalstar.com/business/local/crashes-trigger-high-stakes-campaign-to-shape-safety-rules-for/article_9fd3b2b3-51ac-5dbc-a7ba-37b1b26eaaac.html)

**Beyond Pesticides - Bird Population Declines Linked to Neonicotinoid Pesticides, Adding to Previous Science** - 7/11/14 - In addition to previous research on the direct impacts of pesticides on pollinators and other beneficials, a recent study published by Dutch scientists establishes an additional indirect link between neonicotinoid use and insect-eating birds. <http://www.beyondpesticides.org/dailynewsblog/?p=13628>

**St. Louis Post-Dispatch - Meramec coal power plant, once celebrated, draws cheers with closure announcement** - 7/12/14 - In more recent years, local officials have questioned the plant's proximity to area schools and neighborhoods and sought tighter controls on its emissions and coal ash waste. By 2022, and perhaps sooner, residents who have grown increasingly concerned about the nearby power plant will get their wish. [http://www.stltoday.com/business/local/meramec-coal-power-plant-once-celebrated-draws-cheers-with-closure/article\\_7472c581-5ceb-5d5f-ab7a-2d49a4c68ad2.html](http://www.stltoday.com/business/local/meramec-coal-power-plant-once-celebrated-draws-cheers-with-closure/article_7472c581-5ceb-5d5f-ab7a-2d49a4c68ad2.html)

**Lincoln Journal Star -Nebraska is fifth-least expensive state for energy** - 7/14/14 - Nebraska is the fifth-least expensive state for energy, according to WalletHub, a web research organization that specializes in comparison studies. [http://journalstar.com/business/local/nebraska-is-fifth-least-expensive-state-for-energy/article\\_3cda8206-71bd-5485-b106-17158c766c4d.html](http://journalstar.com/business/local/nebraska-is-fifth-least-expensive-state-for-energy/article_3cda8206-71bd-5485-b106-17158c766c4d.html)

**St. Louis Post-Dispatch - Midwestern farmers wage war against 'superweeds'** - 7/13/14 - Weed experts say half the nation's farmland is dealing with the problem of superweeds in one form or another. Missouri and Illinois farmers already have encountered half a dozen different species immune to glyphosate. [http://www.stltoday.com/business/local/midwestern-farmers-wage-war-against-superweeds/article\\_e84e6049-ac33-562a-aa54-e9a564af8e6b.html](http://www.stltoday.com/business/local/midwestern-farmers-wage-war-against-superweeds/article_e84e6049-ac33-562a-aa54-e9a564af8e6b.html)

**The Energy Collective - Opportunity to Use Science to Establish Radiation Standards** - 7/12/14 - The Environmental Protection Agency (EPA) has issued an Advanced Notice of Proposed Rulemaking (ANPR) to solicit comments from the general public and affected stakeholders about 40 CFR 190, Environmental Radiation Protection Standards for Nuclear Power Operations. <http://theenergycollective.com/rodadams/426126/opportunity-use-science-establish-radiation-standards>

**Midwest Energy News - Iowa Supreme Court rules in favor of third party solar** - 7/11/14 - The Iowa Supreme Court ruled July 11 that a solar installation atop a municipal services center in Dubuque does not violate Iowa law, a decision experts called potentially ground-breaking for the spread of rooftop solar power. <http://www.midwestenergynews.com/2014/07/11/iowa-supreme-court-rules-in-favor-of-third-party-solar/>

**Tri-City Herald (Columbia, Wash.) - New, biodegradable hydrogel could help farmers store water for crops** - 7/13/14 - A new, biodegradable hydrogel being developed by Washington State University researchers could help farmers better use water during the growing season. <http://www.tri-cityherald.com/2014/07/13/3062611/new-biodegradable-hydrogel-could.html?sp=99/915>

**CBS News - "Toilet to tap" wastewater recycling begins in Texas city** - 7/10/14 - As much of Texas grapples with lingering drought, a second city in the Lone Star State has begun reusing treated wastewater in a state-approved recycling process to bolster drinking supplies. <http://www.cbsnews.com/news/toilet-to-tap-wastewater-recycling-begins-in-wichita-falls-texas/>

**Lincoln Journal-Star - Glacier Creek protects prairie habitat** - 7/13/14 - One of the best-kept secrets in the region is Glacier Creek Preserve, a 320-acre re-established grassland preserve northwest of Omaha in Douglas County. [http://journalstar.com/sports/local/outdoors/glacier-creek-protects-prairie-habitat/article\\_b97da9ff-57bb-5d98-b3c3-1b5bfc32db0.html](http://journalstar.com/sports/local/outdoors/glacier-creek-protects-prairie-habitat/article_b97da9ff-57bb-5d98-b3c3-1b5bfc32db0.html)

**Milwaukee Journal-Sentinel - Solar vs. electric battles heating up in Iowa, Wisconsin** - 7/12/14 - Skirmishes between solar power supporters and electric utilities are intensifying, with standoffs in Iowa and Wisconsin attracting attention around the country. <http://www.jsonline.com/business/solar-vs-electric-battles-heating-up-in-iowa-wisconsin-b99309653z1-266887971.html>

**Washington Post - Lopsided lobbying on Keystone Pipeline** - 7/11/14 - The oil and gas groups that want the Keystone XL Pipeline built lobbied significantly harder for the project than the environmentalists fighting against it. But the pressure and passion is so intense on both sides that the lopsided lobbying hasn't been enough to move the needle.

<http://www.washingtonpost.com/blogs/in-the-loop/wp/2014/07/11/lopsided-lobbying-on-keystone-pipeline/>

**New York Times - Texas, Leader in Greenhouse Gases, Stands Vulnerable to Their Effects** - 7/13/14 - As Republicans promote the state's economic "miracle," many climate scientists from Texas say prosperity has come at a steep price. Scientists say Texas has become a large contributor to greenhouse gas emissions as well as more vulnerable to its consequences. <http://www.nytimes.com/2014/07/13/us/texas-leader-in-greenhouse-gases-stands-vulnerable-to-their-effects.html>

**Washington Business Journal - Group of senators say DOD's excess trucks, humvees should go to firefighters** - 7/14/14 - Sens. Barbara Mikulski, D-Md., John McCain, R-Ariz., and 23 other Senators are asking Defense Secretary Chuck Hagel to reverse a recent freeze on the transfer of excess trucks, generators and humvees belonging to the Department of Defense to fire departments, law enforcement and other first responders. [http://www.bizjournals.com/washington/blog/fedbiz\\_daily/2014/07/group-of-senators-say-dods-excess-trucks-humvees.html](http://www.bizjournals.com/washington/blog/fedbiz_daily/2014/07/group-of-senators-say-dods-excess-trucks-humvees.html)

**Biofuels Digest - Will the Energy Future Be Built in the United States?** - 7/13/14 - Jobs, abundant energy and stable regulations are worthy goals for any energy legislation, but the continued partisan back-and-forth that pits fossil energy against new sources is becoming a liability that threatens more than any single industry.

<http://www.biofuelsdigest.com/bdigest/2014/07/13/will-the-energy-future-be-built-in-the-united-states/>

**Quad City Times - Branstad: No position yet on oil pipeline going through Iowa** - 7/14/14 - Iowa Gov. Terry Branstad said Monday that he does not plan to take a position on a proposed crude oil pipeline that would stretch diagonally across Iowa until he has more information. [http://qctimes.com/news/state-and-regional/iowa/branstad-no-position-yet-on-oil-pipeline-going-through-iowa/article\\_b3bead0c-c14e-5d55-97e5-71acb3f5a7fa.html](http://qctimes.com/news/state-and-regional/iowa/branstad-no-position-yet-on-oil-pipeline-going-through-iowa/article_b3bead0c-c14e-5d55-97e5-71acb3f5a7fa.html)

**The Hill – GOP Continues Assault on EPA Rules** – 7/14/14 - House Republicans will open a new chapter this week in their assault on the Environmental Protection Agency (EPA). The House Appropriations Committee will meet Tuesday to consider the spending bill for EPA. The bill would block far-reaching EPA rules covering air and water pollution. <http://thehill.com/policy/energy-environment/212114-gop-continues-assault-on-epa-rules>

**The Hill - Study: States can handle EPA power plant rules** - 7/14/14 - An independent analysis of the Environmental Protection Agency's (EPA) proposal to limit carbon dioxide pollution from power plants concluded that states are "well positioned" to handle the federal government's requirements under the rules. <http://thehill.com/policy/energy-environment/212165-study-states-can-handle-epa-power-plant-rules>

**Climate Central - Military Bases Face Hurdles in Climate Change Adaptation** - 7/14/14 - The Department of Defense has 7,600 military installations across all 50 states and 40 foreign countries. They perform diverse functions, but they have one thing in common: climate change could cost them big in the coming decades unless adaptation measures are taken soon. <http://www.climatecentral.org/news/us-military-climate-change-17763>

**Greenwire - Perciasepe to speak to corn growers on Clean Water Act rule this week** - 7/14/14 - Corn farmers from around the country are meeting in Washington, D.C., this week to work on policy initiatives and to press legislators and the administration on U.S. EPA's Clean Water Act proposal, the federal renewable fuel standard and other top issues. <http://www.eenews.net/greenwire/stories/1060002818/>

**ClimateWire - To a business-centered climate group, economics can drive environmental change** - 7/14/14 - Jeff Erikson played the role of teacher rather than CEO as he explained his audaciously lofty goal -- cut carbon emissions by billion-ton chunks as rapidly as possible. <http://www.eenews.net/climatewire/2014/07/14/stories/1060002791>

**ClimateWire - Big-name companies urge utilities to produce more renewable energy** - 7/14/14 - To meet their sustainability goals, 12 large American companies signed onto a set of buyers' principles last week calling on utilities to expand and streamline opportunities for renewable energy procurement. <http://www.eenews.net/climatewire/2014/07/14/stories/1060002786>



**EnergyWire - Flexibility and its implications dominate NARUC talk on EPA carbon plan** - 7/14/14 - The watchword was "flexibility." Representatives from across the electricity sector kept coming back to that point as they gathered here yesterday to discuss paths forward under U.S. EPA's Clean Power Plan.  
<http://www.eenews.net/energywire/2014/07/14/stories/1060002793>

**ClimateWire - Media does not close science 'knowledge gap,' causing some to follow opinions of others** - 7/14/14 - Science communication researchers have long been concerned about the scientific "knowledge gap" between Americans from high and low socioeconomic backgrounds. Some researchers had hoped that science blogging could be a way to narrow that gap, but a recent study suggests this is not happening. <http://www.eenews.net/climatewire/stories/1060002788/>

**ClimateWire - Soot from wildfires discovered with 90% greater warming potential -- study** - 7/14/14 - Scientists have learned something new about the nasty, dark smoke that rises from wildfires that might have important implications on the climate. <http://www.eenews.net/climatewire/stories/1060002708/>

**ClimateWire - EPA rules block state foresters from getting vehicles needed to fight wildfires** - 7/14/14 - U.S. EPA's effort to slash pollutants coming from cars and trucks has resulted in an interagency scuffle. State foresters recently learned they may not get retired military vehicles used to fight wildfires because they don't meet emission standards. <http://www.eenews.net/climatewire/stories/1060002706/>

**Greenwire - Industry cooperation key as EPA targets carcinogen in dry cleaning** - 7/14/14 - U.S. EPA scientists believe at least 330,000 Americans may be exposed to the toxic chemical trichloroethylene at degreasing facilities and dry cleaning businesses but must work with industry first because forcing companies to stop using the chemical could be costly and take years. <http://www.eenews.net/greenwire/stories/1060002816/>

**BNA - House Bill Would Prohibit EPA, Corps From Promulgating 'Waters of the U.S.' Rule** - 7/11/14 - Legislation introduced July 11 would block the Environmental Protection Agency and the U.S. Army Corps of Engineers from "developing, finalizing, adopting, implementing, applying, administering, or enforcing" the proposed waters of the U.S. rule or any associated guidance that attempts to clarify the scope of the Clean Water Act. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49584146&vname=dennotallissues&jd=a0f3a2q8d7&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49584146&vname=dennotallissues&jd=a0f3a2q8d7&split=0)

**BNA - Wal-Mart, Facebook, Other Companies Want Easier Process for Buying Renewable Energy** - 7/11/14 - Wal-Mart, Facebook and 10 other major U.S. corporations have called on regulators, utilities and other energy providers to make it easier for them to purchase renewable energy. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49584156&vname=dennotallissues&jd=a0f3a9n4c7&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49584156&vname=dennotallissues&jd=a0f3a9n4c7&split=0)

**BNA - Fugitive Methane Emissions From Fracking Need Regulation by EPA, Law Professor Says** - 7/11/14 - Environmental Protection Agency performance standards are needed to constrain "fugitive" emissions of methane generated by hydraulic fracturing from upstream sources such as natural gas wells, pipelines and storage tanks, a law professor told a House subcommittee hearing July 11. [http://news.bna.com/deln/DELNWB/split\\_display.adp?fedfid=49584134&vname=dennotallissues&jd=a0f3a1n0z7&split=0](http://news.bna.com/deln/DELNWB/split_display.adp?fedfid=49584134&vname=dennotallissues&jd=a0f3a1n0z7&split=0)

**Inside EPA - EPA Urged To Seek New Data On Regulating Additional Drilling Air Toxics** - 7/11/14 - Environmentalists are urging EPA to pursue a formal data collection on air toxics from oil and gas drilling that they say could inform stricter pollution limits for the sector on several hazardous air pollutants (HAPs) such as benzene. <http://insideepa.com/201407112476667/EPA-Daily-News/Daily-News/epa-urged-to-seek-new-data-on-regulating-additional-drilling-air-toxics/menu-id-95.html>

**Inside EPA - Cities Urged To Tighten Stormwater Controls To Address Climate Change** - 7/11/14 - Local governments will be especially at risk of increased tort litigation over increased flooding and other climate change effects in the coming years unless they begin to reflect such anticipated changes in their stormwater and floodplain policies and programs. <http://insideepa.com/201407112476664/EPA-Daily-News/Daily-News/cities-urged-to-tighten-stormwater-controls-to-address-climate-change/menu-id-95.html>

**Inside EPA - EPA Encourages States To Form Regional Climate ESPS Compliance Plans** - 7/14/14 - EPA is encouraging the formation of multi-state partnerships to work on greenhouse gas (GHG) reduction plans for complying with the agency's existing source performance standards (ESPS) for power plants. <http://insideepa.com/201407142476814/EPA-Daily-News/Daily-News/epa-encourages-states-to-form-regional-climate-esps-compliance-plans/menu-id-95.html>

**Inside EPA - House GOP's FY15 Report Language Aims To Block Slew Of EPA Programs** - 7/14/14 - House Republican lawmakers are floating fiscal year 2015 budget bill

report language that recommends blocking funding for a slew of EPA programs ranging from a ballast water rule to using controversial social cost of carbon (SCC) estimates in its rulemakings, while also directing the agency on how to spend major waste and water funds. <http://insideepa.com/201407142476812/EPA-Daily-News/Daily-News/house-gops-fy15-report-language-aims-to-block-slew-of-epa-programs/menu-id-95.html>

**Inside EPA - New Report Finds States Have Tools To Limit ESPS Compliance Costs** - 7/14/14 - States have a wide range of tools to constrain compliance costs under EPA's proposed greenhouse gas (GHG) standards for existing power plants, according to a new report from a group of energy consultants. <http://cleanenergyreport.com/201407142476799/Clean-Energy-Report-Daily-News/News/new-report-finds-states-have-tools-to-limit-esps-compliance-costs/menu-id-202.html>

**Inside EPA - Environmentalists Urge D.C. Circuit To 'Promptly' Reinstate EPA's CSAPR** - 7/12/14 - Environmentalists and public health advocates are urging a federal appeals court to "promptly" lift a stay on EPA implementing its Cross-State Air Pollution Rule (CSAPR) and for the agency to push ahead with the rule's existing compliance timetable, fighting EPA's bid to lift the stay but extend the rule's deadlines by three years. <http://insideepa.com/201407122476790/EPA-Daily-News/Daily-News/environmentalists-urge-dc-circuit-to-promptly-reinstate-epas-csapr/menu-id-95.html>

**Inside EPA - McCarthy Suggests Dropping Controversial CWA Permit Waivers For Farms** - 7/11/14 - Facing mounting criticism from many quarters, EPA Administrator Gina McCarthy says the agency is open to dropping the administration's controversial interpretive rule and is working with critics on an alternative approach. "Is the interpretive rule the best way to do that? Let's figure that out together," she told the Agricultural Business Council of Kansas City, MO, in a highly touted July 10 speech. "I am about outcomes, not process," she said. <http://insideepa.com/Water-Policy-Report/Water-Policy-Report-07/14/2014/mccarthy-suggests-dropping-controversial-cwa-permit-waivers-for-farms/menu-id-127.html>

**Inside EPA - EPA Loan Funds Eyed As 'Guarantees' For Public-Private Water Projects** - 7/14/14 - EPA, water utility groups and private investment firms are boosting calls for municipalities to enter into public-private partnerships (P3s) as a new means of financing water infrastructure projects. <http://insideepa.com/Water-Policy-Report/Water-Policy-Report-07/14/2014/epa-loan-funds-eyed-as-guarantees-for-public-private-water-projects/menu-id-127.html>

**Inside EPA - McCarthy Seeks Early State Input To Address Possible Revisions To ESPS** - 7/14/14 - Speaking to state utility regulators here, EPA Administrator Gina McCarthy pledged to consider changes and new data regarding the agency's proposed landmark greenhouse gas (GHG) standards for the existing power fleet, while also encouraging states to submit comments and potential compliance options early so EPA can address those comments in the final rule. <http://insideepa.com/201407142476828/EPA-Daily-News/Daily-News/mccarthy-seeks-early-state-input-to-address-possible-revisions-to-esps/menu-id-95.html>

## Press Releases:

Link to all R7 press releases: <http://go.usa.gov/Qx5>

None

## Fact Sheets:

Link to all R7 fact sheets: <http://www.epa.gov/region7/factsheets>

None

## Upcoming Administrator/RA Events:

\* New additions noted with an asterisk

**7/14/14** – Utilities State Government Organization Annual Meeting. Contact: Becky Weber, 7487

**\*7/18/14** – Radio Interview with Kyle Hill, Regional Radio, Regional Office. Contact: Kris Lancaster, 7557

**7/21/14** – Civil Rights Event, Washington, D.C. Contact: Julia Cacho, 7071

**7/22/14** – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

**7/23/14** – Senior Leadership Retreat for Regional Administrators, Washington, D.C. Contact: Julia Cacho, 7071

**7/24/14** – National Tribal Operations Committee Meeting, Washington DC. Contact: Lynn Slugantz, 7883

**\*7/28/14** – Tribal Visit, Kickapoo Tribe, Horton, Kan. Contact: Lynn Slugantz, 7883

**\*7/29/14** – Tribal Visit, Winnebago Tribe, Winnebago, Neb., Contact: Lynn Slugantz, 7883

**7/29-30/14** – Regional Tribal Operations Committee Meeting, Niobrara, Neb. Contact: Lynn Slugantz, 7883

**7/31/14** – Missouri Environmental & Energy Conference at the Lake, Osage Beach, Mo. Contact: David Cozad, 7587

8/6/14 - St. Louis Regional Chamber of Commerce Meeting, St. Louis, Mo. Contact: David Bryan, 7433

**\*8/11/14** – Clean Power Plan Forum with Utility Executives, Kansas City, Mo. Contact: Mary Peterson, 7882

**8/20/14** – Tribal Consultation Training, Regional Office. Contact: Heather Hamilton, 7039

#### **DRA:**

**7/21/14** – Civil Rights Event, Washington, DC. Contact: Julia Cacho, 7071

**7/21-22/14** – Budget Forum, Washington, D.C. Contact: Julia Cacho, 7071

**7/21/14** – Civil Rights Event, Washington, D.C. Contact: Julia Cacho, 7071

**7/23-7/24/14** Executive Management Council Meeting, Washington, DC Contact: Dana Peters, 7444

**8/20/14** – Tribal Consultation Training, Regional Office. Contact: Heather Hamilton, 7039

#### **RA/Immediate Office**

None

#### **Other Events**

#### **AWMD**

7/14/2014 – Participating in Missouri Department of Natural Resources 111(d) kick off meeting, Jefferson City, Mo. Contact Josh Tapp, 7606.

7/22/2014 – Participating in the Iowa Department of Natural Resources 111(d) kick off meeting, Des Moines, Iowa. Contact: Becky Weber, 7487.



## **CNSL**

None

## **ECO/EJ**

None

## **ENSV**

None

## **PLMG**

None

## **RA/OPA**

**9/29-30/14** - Healthy Schools Outreach, Missouri School Plant Managers' Association Conference, Four Seasons, Lake of the Ozarks, Mo. Contact: Kathleen Fenton, 7874 and Harry Diesel, 7382

## **SUPR**

None

## **WWPD**

**8/18-21/14** – Purdue Pesticide Program Certification and Training Workshop, Indianapolis, Ind. Contact: Douglas Jones, 7592

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Des Moines Register

## **Ruling is victory for solar energy**

By Grant Rodgers  
July 11, 2014

A nationally watched Iowa Supreme Court ruling in favor of a solar energy company could spur growth of the solar industry throughout the state, advocates said Friday.

A split Iowa Supreme Court ruled Friday that Eagle Point Solar would not violate Iowa law by selling electricity to the city of Dubuque that the company generates through a solar panel installation on the roof of a city building. Industry leaders praise such arrangements, called power purchase agreements, as a key to developing more solar energy.

Earlier this year, the Iowa Environmental Council issued a report finding that the state could supply approximately 20 percent of its energy needs each year through rooftop solar installations. Though solar still lags behind wind energy in Iowa, decreases in costs for solar equipment combined with tax credits are creating a ripe environment for growth, the report said.

The ruling will help tip the scales for solar by legalizing another way for people and governments to pay for solar projects, said Barry Shear, president and CEO of Eagle Point Solar.

"This ruling now makes other solar projects like this viable," he said in a statement. "We can go to any municipality, any university, any wastewater treatment plant, churches ... and we can put solar on their roof or on their property — and they have to come up with zero dollars to do this."

Iowa's main public utility companies, Alliant Energy and MidAmerican Energy, have fought power purchase agreements, arguing that state regulations give them exclusive rights to sell energy in defined territories.

### **Utilities: This could hurt ratepayers**

State law allows power companies to act as monopolies because they have massive fixed costs, such as power plants and lines that need to be covered.

If energy customers increasingly use electricity purchased through third-party agreements, all ratepayers could suffer when public utilities are forced to make up costs elsewhere, said Justin Foss, a spokesman for Alliant Energy.

Foss also reiterated a hypothetical argument that the company's attorneys made in legal briefs to the court: The ruling in favor of Eagle Point Solar could open power purchase agreements to companies offering less environmentally friendly options.

"This ruling opens it up for this type of generation; does it also apply if somebody wants an electric generator that runs off of whale oil and fluffy kittens?" he said.

### **Approach reduces solar's up-front cost**

Environmentalists and solar industry leaders encourage power purchase agreements because cities or residents interested in installing solar panels can avoid high up-front costs of buying or leasing panels themselves and pay only for the electricity itself.

The agreements help make solar energy cost-effective for governments and nonprofits, since they don't qualify for federal tax credits for solar installations, advocates say.

Twenty-three states, now including Iowa, allow power purchase agreements between customers and private companies that offer solar energy systems, according to information from the Database of State Incentives for Renewables and Efficiency.

The ruling's effects will reverberate to other Midwestern states, including Wisconsin and Minnesota, said Brad Klein, a Chicago attorney with the Environmental Law and Policy Center. The legality of the agreements in those states remain a gray area that hinders progress on solar projects, he said.

"I think it's one of those policies that's important to really nail down," he said. "We're thrilled about the immediate impact this will have in Iowa, but we're really sort of equally excited about the potential for this opinion to lift that cloud of uncertainty."

### **Dissenting justice: This isn't court's role**

The case began after Eagle Point Solar installed solar panels on the city's public works building in 2011 as part of a city program to reduce its carbon footprint.

The Iowa Utilities Board initially ruled against allowing Dubuque to purchase electricity from Eagle Point. A Polk County District Court judge subsequently ruled in favor of the

company. The Supreme Court upheld that decision.

The 4-2 decision allowing the agreements drew criticism from Justice Edward Mansfield, who wrote in his dissent that the court shouldn't have stepped into an area of public policy already governed by the Iowa Utilities Board.

"Is it the proper role of the courts to act as experts on the delivery of electrical energy," he wrote. "I would argue it is not."

Justice Brent Appel's ruling for the majority, however, rejected arguments that Eagle Point Solar should be considered a public utility simply because it hoped to sell electricity to the city. The agreement between the company and the city is a customized and limited arrangement that doesn't need greater regulation, he wrote.

"There is simply nothing in the record to suggest that Eagle Point is a six-hundred-pound economic gorilla that has cornered defenseless city leaders in Dubuque," he wrote.

"Indeed, the nature of the third-party (power purchase agreements) suggests the opposite, as the city has entered into what amounts to be a low-risk transaction — it owes nothing unless the contraption on its rooftop actually produces valuable electricity."

### **Issue debated in Wisconsin**

Uncertainty about power purchasing agreements boils in Monona, Wis., where the city had four rooftop systems installed, Tyler Huebner, executive director of renewable energy group RENEW Wisconsin.

The city originally hoped to purchase electricity from the Colorado investment group that owns the panels, he said. Because of legal concerns over that approach, the city opted instead to purchase renewable energy credits, but that practice is also legally questionable, Huebner said.

The Iowa Supreme Court's ruling Friday should signal to Wisconsin legislators to look further at the issue, he said.

"Next door the law is now clear, and we would like it similarly to be clear here in the state of Wisconsin," he said.